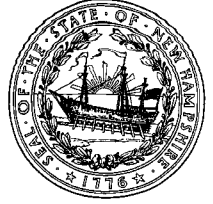




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

February 3, 2006

**LETTER OF DEFICIENCY #WSEB 06-025**

Certified Mail #7099 3400 0003 6156 6047

Donald Sargent  
Plaistow Fish and Game Club  
18 May Ray Ave.  
Plaistow, NH 03865

Subject: Plaistow - Public Water System: Plaistow Fish and Game Club (EPA #1939010)

Dear Mr. Sargent:

The records of the NH Department of Environmental Services (DES) show that the Plaistow Fish and Game water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit bacteria and chemical samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 325 and 326. Pursuant to Env-Ws 351, the failure to submit a sample requires that public notice of such failure be given to all consumers.

**Chemical Monitoring:**

DES records show that the subject water system failed to submit its required **Quarter 2 2005 Nitrate** sample. As a result of the failure to submit the Nitrate sample, a Notice of Violation (NOV), dated July 21, 2005, was sent to you. The NOV requested that you immediately submit the above-described sample as a make-up sample. To date, DES has not received the make-up sample result, thus placing the water system in violation of Env-Ws 326.

**Bacteria Monitoring:**

DES records also indicate that the water system failed to submit its required **September 2005 bacteria** sample. As a result a NOV, dated October 26, 2005, was sent to you. This NOV requested, among other actions, that public notice of the violation be given to consumers within 30 days of being notified of the monitoring violation, and that proof of public notice be sent to DES within 10 days of providing notice to consumers. DES did not receive proof of public notice within the required time period. On December 21, 2005, a public notice NOV was issued to the water system. This NOV requested that public notice of the September 2005 bacteria monitoring violation be performed and proof of such notice be sent to DES within 7 days. To date, DES has not received the required proof of public notice for the September 2005 bacteria monitoring violation.

DES believes the above cited violations can be corrected and future violations prevented by taking the following actions:

1. **By February 17, 2006**, submit the **Nitrate** sample as a "make-up sample" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the sample to your laboratory; and
2. **By February 17, 2006**, provide public notice of the September 2005 bacteria monitoring violation and the Quarter 2 2005 Nitrate monitoring violation to consumers, and submit proof of public notice to this office following the guidelines on the enclosed public notice handouts.

In the event compliance is not achieved within this period, DES may initiate formal action against the Club, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.


**Please note that submission of the 2005 Nitrate "make-up sample" does NOT relieve you of your obligation to submit a 2006 Nitrate sample during the Second Quarter (April to June).** To assist you in complying with your monitoring requirements, a copy of your Master Sampling Schedule is enclosed.

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Allyson Gourley  
Department of Environmental Services  
Water Supply Engineering Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Allyson at (603) 271-0655 or by email at [agourley@des.state.nh.us](mailto:agourley@des.state.nh.us).

Sincerely,

  
Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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encl: Analysis Request Form – make-up version  
Public Notice Form  
Master Sampling Schedule

cc: Gretchen R. Hamel, DES Legal Unit Administrator  
Denise Horrocks, Plaistow Health Officer  
EPA, Region 1